G R S Add ₹ IX-41

1942-43

(Municipal)

File No 11-42

Serial Nos 5117

Previous References

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Jnr

Part B for Jan 1944

SUBJECT

Rules for the payment by gratuity in respect of persons of Agra city who are not entitled to the benefit of pension or provident fund—

Fl 123) To the O/C Cut- Municipal Agra

" Comptroller

No L 1720-1 & 27.1.44

Approves the rule.

Jan
27/1/

272

General and Revenue Secretariat — File No 11 of 1942-43 [App F III—2

Serial No

From the Addl. Cf. Mysore
No d65 51 121/42-43 dt 9-7-42
forwards for approval a copy of the draft rules for the Payment of Gratuity in respect of Sweepers etc, who are not entitled to the Benefits of pension or provident fund

1) The two questions referred to in the letter are being dealt with separately

2) The Financial Secy may perhaps be consulted

3) Submitted for orders

Lawsey 19/7/42

SECY LAW DEPT 20 JUL 1942 MYSORE

Fin Secy 22-7-42

4) To Comptroller's office for favour of remarks

105/Spl dt 17.9.1942 JLJ 23/7/42

U O No.136/C-LAD dated the 11th September 1942

5) Returned with Compliments

6) The draft rules in question may be framed so as to be similar to those which are applicable to the employees of the Railway Department

7) The service of an employee who is eligible for

COMPTROLLER'S OFFICE, BANGALORE 24 JUL 1942 SPECIAL SECTION

58

NOTE—Contd Shee

Serial No

for such gratuity should be continuous and reach the standard of good, efficient and faithful service It is presumed that the word "Deserving" mentioned in Rule 1 would imply good, efficient and faithful service If so, a clause that service must be continuous may be added

8) The age from which the qualifying service should be reckoned is not stated in the rules The qualifying service of an inferior servant counts after the age of 16 years as per Article 227 Mysore Service Regulations Provision in this respect seems necessary

9) No gratuity is admissible to the Railway non-pensionable employees whose employment is temporary Similar provision may be added to rule 2 to avoid further complications

10) The maximum amount of gratuity may be calculated at the rate of half a month's pay for each year of qualifying service subject to a maximum of 15 month's pay as fixed in the Railway Department and also in para 17 of the work service rules applicable to Government Industrial Establishments issued with G O No D 2086-92/I & C 252-38-18 dated 28-10-1941 The minimum qualifying service to earn gratuity may be fixed at 15 years as in the Railway Department with the exception of those who die or retire on account of permanent incapacity or reduction of establishment

(3

Serial No

= 3 =

It may also be stipulated that this gratuity will be admissible only ~~to~~ to those who are not entitled to the benefits of Provident Fund Scheme applicable to non-pensionable employees of Local Bodies

(11) The retiring gratuity being in the nature of a gift is exempt from attachment though departmental and other dues may be adjusted against the amount of gratuity if they cannot be adjusted against the undisbursed pay and allowances, but this exception may not be extended to the dues of Co-operative Society as the benefit sought to be conferred on the employees may be nullified by such an exception

Comptroller 12/9/42 absent from Hdqrs 12/9

12/9/42

(12) I am not quite sure if the rules regarding ~~the~~ Railway Gratuity may be applied totally in the case of sweepers, etc I should, however, like to know how the two questions referred to in the President's letter are disposed of and whether the gratuity system is in vogue in any other Municipality at present If in vogue, a copy of the rules relating thereto may be kindly put up A copy of the work service Rules may also be kindly furnished

NOTE—Contn Sheet

WD 04155—GI B—55 000—3 10 41

12/9

26

4) 272/2

mc File No 11 of 1942-43 General and Revenue Secretariat

Serial No

The Two gestions referred to in the Dd's letter are still pending Revised rules have been called for from the Ddt, city mc cl, Mysore (Vide letter No L 350/mc III-41-9-Dy 13-7-42) + they are awaited

Grading System is not in Vogue in any of the Municipalities

A Copy of the work service rules is put up (Vide Govt Dy 2086-92/Dtc 252-38 18 & 28-10-1941 "N"

Subd with reference to para 12 supra

Lawley) 28/1/43

WB 26/1 CS

This was linked to the file mc III-41-123 relating to the Provident Fund Rules for the benefit of Sweepers & other non-pensionable employees of the Mysore city Mcty (Govt 9188/43-III) } Now detached, as that file was sub separated into a duplicate file in mcty

I put up a draft letter to the President, Mysore city Mcl communicating the observations of the employees above relating to revised rules

Subd with a draft letter for appl 2/2/43

WB 2/2

28/2 WB

T 23 SL GEN & P LTT

Continuation Sheet ml File No / Current No 272/I/11 of 42 √3628 Page 5

117 To The Dpty, cif ml cl, Mysore
RO L 3807 Dt 28-9-43
Requests him to forward revised rules
in the light of the observations made in the letter
- Letter No CLS 51-121/42-43 Dt 8-12-43
from the Dpty, cif ml cl, Mysore
forwarding for appl a revised draft
rules as suggested by the Comptroller
subd for appl. the file will be
sent to the Comptroller for his
remarks about the revised rules
framed by the ml cl on his suggestion
KKG 29/12 Please see flag 'T' for the draft rules

Forwarded with
Compliments to the Comptroller to the Govt
of Mysore for favour of remarks, if
any, on the ~~proposed~~ revised only
new framed by the Mysore Govt Mcl
RO
Law Asst
31/12/43 Dy Secy to Govt
Law Dept

604/Spl 12/44
U O No 237/CLAD dated the 10th/12th January 44

Returned with Compliments -

The revised draft rules framed are in order and may be approved

M Shamanna
Comptroller
6/1/44

Govt of Mysore

Q & O No 178 / 3/1/44
CONTROLLER & CF I & S
CLAD
3 Jan 44
638/Spl
52 clds / 5/1/44
SECY TO GOVT LAW DEPT 66 V I

Subd with a draft Govt for appl
may be approved with financial
Concurrence-

Landsdell 15/1/44

May be approved

Mr Reid 15/1/44
Mr Gilchrist

Mr Greig MW 23/1/44

Mr Williams 25/1/44

Mr Williams 25-1-44

Mr Williams 25/1/44

O. Mr Holt, approved, Mysore
The Comptroller
Ltr No L 7720-1 Dt 27-1-44
Approves of the revised Rules

123

GEN & R

DS 1/2 JW

COPY LA 6721 [illegible]

Ltr No 35383 dt 18/1/44

COPY OF TELEGRAM
FC L S G & P H
Date 24/1/1944
No. 4221

No M5 51-121/42-43
Encl Two

OFFICE OF THE EXECUTIVE
CITY MUNICIPAL COUNCIL MYSORE

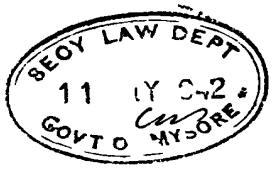
Date 8th July, 1942

From

B S RAGHAVENDRA RAO Esq M A (H)
PRESIDENT CITY MUNICIPAL COUNCIL
MYSORE

To

A SUNDARARAJA RAO, ESQ B A ,B L ,
Secretary to Government,
Law Department Bangalore



SIR,

Subject - Draft rules for payment of gratuity to sweepers etc who are not entitled to the benefit of pension or provident fund

I have the honour to state that the following proposals allied with the above subject have already been submitted to Government and are pending orders

(1) Rules regulating the Provident Fund scheme for the sweepers and other non-pensionable employees of the Mysore City Municipality (vide this office letter No G T 1926 dated 19-2-1942)

(2) Provision for graded pay --periodical increments --Provident Fund or Gratuity for sweepers and Scavengers (vide this office letter No G T 1932 dated 21-2-1942)

In a few cases where certain sweepers were removed on account of their old age and incapacity to work, the question of payment of gratuity, came up before the Managing Committee for consideration The Committee referred the matter to the Legal Committee who after considering all the aspects of the proposal framed the annexed rules in their proceedings dated 4-6-1942 The Municipal Council approved of the draft rules framed by the Legal Committee in their Meeting held on 27th June 1942 Extracts of the Committee and Council Resolutions are enclosed herewith

The rules now framed are under Section 49(6) of the City Municipalities Act and require approval of Government under proviso (1) of the same section read with Section 228 (2) (c) The allotment

required for payment of gratuity will not be much as only a few cases may arise every year

I request you therefore to kindly obtain sanction of Government to the draft rules early

I have the honour to be
Sir,
Your most obedient servant

PRESIDENT

SNR)

MYSORE CITY MUNICIPALITY

Proceedings of the Ordinary General Meeting of the Mysore City Municipal Council held in the Municipal Office on Saturday the 27th June 1942, at 4 p m

PRESENT

B S Raghavendra Rao Esq M A (Hons) *President*

2 P Staramiah Esq B A B L *Vice President*
3 A Krishna Murty Esq
4 S Linganna Esq
5 U L Ramacha dra Rao Esq
6 Chowdiah Esq
7 M K Linganna Esq B A I L B
8 T S Raja opala Iye gar Esq M A LL B
9 T Narasimha Iyeng r Esq B A B L
10 A N Surya ar y R o Esq
11 B Nar yan swamy Esq B A B L
12 M V Venkataramiah Esq
13 M S Na jappa Esq
14 G R Rangasw miah Esq
15 E P Nanjappa Esq
16 Dr A J Ram L M & S
17 G Janardan Naidu Esq
18 Patnam Sreeniv sasetty Esq
19 M R C Basappa Esq
20 T Venkataramamiah Esq
21 T S Alikhan Esq
22 Mahomed Khalilulla Esq M A I L B
23 S A Kareem Esq
24 B L Maridandiah Esq
25 F C Devaraja Urs Esq

ABSENT

26 M C Mallappa Esq
27 N Rajagopala Iyengar Esq B A B L
28 Mrs B Kameswaramma B A
29 Agaram Rangiah Esq
30 T Mariappa Esq B A LL B
31 Haji Mir Amiruddin Khuraishi Esq

=====

982 Legal Committee Resolution No 30 dated 4-6-1942 submitting for approval thedraft rules for payment of gratuity in respect of sweepers etc who are not entitled to the benefit of pension orprovident fund

APPROVED '

(Sd) B S Raghavendra Rao,
President

'Copy '

B S Raghavendra Rao

PRESIDENT

snr -

S 51- 1942 43

PROCEEDINGS OF THE LEGAL COMMITTEE MEETING

(By circulation)

(10

Deferred Subject No 30 - Referred subject No 223 of the Managing Committee -

Health Officer's Report dated 15th January 1942 submitting for approval the draft rules for payment of gratuity in respect of sweepers etc , who are not entitled to the benefit of pensio or provident Fund as directed in Committee's Resolution No 37 dated 10th December 1941

Resolution - "The draft rules framed by the Chairman is appro

Rules appended below -

(Sd) T Mariappa,

4 6 42 Chairman

Draft rules for payment of gratuity in respect of sweepers, etc , who are not entitled to the benefit ofpension or provident fund

======

The Municipal Council may, in deserving cases, award bonus or gratuity to the sweepers or scavengers or their heirs as the case may be

2 Those entitled to the benefits of the Provident Fund scheme shall not be entitled to the bonus or the gratuity

3 The rate at which the Bonus or the gratuity shall be paid will be in the following order subject to a maximum of Rs 150/-

Above 5 years of service		Half months's pay for each year of service
" 10	Do	
" 15	Do	
20	Do	

4 The Municipal Council shall have the power to deduct such sums as may be due to the Council, and the Municipal scavengers Co-operative Society and pay the balance to the persons entitled

5 The Municipal Council may for reasons to be recorded in writing disallow any bonus or gratuity to which a person is entitled

(Sd) T Mariappa,
Chairman

Copy

B Raghavendra

PRESIDENT

SNR -

Appendix F G —1]

SUBJECT

Section ML
File No 11-42
Serial No 117

Diary No of letter replied to

No 13807

To

General and Revenue Secretariat

( )

the *194*

The Odt, Cif MCL, Mysore

Sir,

I ate of issue 28/9

Signed by

With reference to your letter No CB5 S1-121/42-43B 9-7-42 forwarding for approval draft rules for the payment of Gratuity in respect of employees in the Municipality sweepers, etc., who are not entitled to the benefit of pension or provident fund, I am directed to forward herewith a copy of the remarks made by the Comptroller in this behalf and to request you to be so good as to

List of enclosures

Copied by PL T 6 to 11 of the notes

Examined by

WD 04161—GPB—60 000—24 10 41

IV

forward revised rules in the light of the observations made thereon

I have etc

John

Thos Forsyth Lowe

Law Dept

WPS

(13

No M5-51-121/42-43
Encl

CITY MUNICIPAL COUNCIL MYSORE

Date 8th Dec 1943

From R Ramachandra Rao Bhombore, Esq , B A
PRESIDENT CITY MUNICIPAL COUNCIL, City

SECRETARIAT B628 1 DEC 1943 L S G BRANCH

To
C. Narayanaswamy Naidu Esq , B A , B L ,
Secretary to Government, Law Department,
Bangalore

SEOY LAW DEPT 10 DEC 1943 GOVT, MYSORE

Ml 11-42-122

Subject - Draft rules for the payment of gratuity in respect of sweepers etc , employed in the Municipality

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With reference to your letter No L 3807/Ml 11-42-117 dated 28th September 1943 regarding the above, I have the honour to state that Revised rules drafted in the light of the observations made by the Comptroller as conveyed in your letter under advertance were placed before the Municipal Council at their meeting held on 27th November 1943 when they approved of the same A copy of the draft rules together with an extract of the Municipal Council resolution is enclosed herewith for your information and kindly - obtaining early approval of Government thereto

thereto

I have the honour to be,

Sir,

Your most obedient servant,

PRESIDENT

SNR

MYSORE CITY MUNICIPALITY

Proceedings of the Ordinary General Meeting of the Mysore City Municipal Council held in the Municipal Office on Saturday the 27th November 1943, at 4 30 p m

PRESENT

R Ramachandra Rao Bhombore Esq B A *President*

2 P Sitaramiah Esq B A B L
3 M K Linganna Esq B A LL B
4 A Krishna Murthi Esq
5 T Narasimha Iyengar Esq B A B L
6 A N Suryanarayana Rao Esq
7 B Narayanaswamy Esq B A B L
8 M V Venkataramiah Esq
9 M S Nanjappa Esq
10 G R Rangaswamiah Esq
11 E P Nanjappa Esq
12 Dr A J Ram L M & S
13 G Janardan Naidu Esq
14 Patnam Sreenivasa Setty Esq
15 T Venkataramaniah Esq
16 T S Alikhan Esq
17 Dr (Miss) A Grace Gillespie M B Ch B
18 B L Maridandiah Esq
19 F C De araja Urs Esq

ABSENT

20 Mohamed Khalilulla Esq M A LL B *Vice President*
21 S Linganna Esq
22 U L Ramacha dra Rao Esq
23 Chowdiah Esq
24 N Rajagopal Iyengar Esq B A B L
25 Mrs B Kameswaramma B A
26 Agaram Rangiah Esq
27 T Mariappa Esq B A LL B
28 M R. C Basappa Esq
29 Haji Mir Amiruddin Khuraishi Esq
30 *Vacant*
31 *Vacant*

=====

325 Letter No 3807/M1 11-42-117 dated 28-9-1943 from the Secretary to Government, Law Department, calling for revised rules in the light of the observations ~~x~~ made by the Comptroller on the draft rules for the payment of gratuity to sweepers etc , together with office note requesting approval to the modified rules enclosed therein

"APPROVED"

Sd R Ramachandra Rao Bhombore,
President

"COPY"

PRESIDENT

SNR

G. R S App F VI—G 2]

SUBJECT

abd

(16

Diary No of letter replied to

Section ML

File No 11-42

Serial No 123

General and Revenue Secretariat

( )

the *194*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 27/1 194

Signed by

Read— Correspondence ending with letter No MS-51 121/42 dt 8-12-43 from the Addl Chief Secy to Govt, Mysore forwarding for approval draft Rules for the payment of Gratuity in respect of sweepers etc, who are not entitled to the benefit of Pension or Provident fund in the city municipal as resolved by the municipal council at their meeting held on 27-11-43

2 and No MO 604/Spl dt 12-1-44 of the Comptroller on the subject.

May this be—

(i) printed? under sec 49 (7) read with sec 228 (2) (c) of the Mysore City Municipalities Act 1933

(ii) treated as a Standing Order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

17

Order no L7720-1

The revised rules are approved and appended to this order

for Secy to Govt
Law Dept
12-1
10/1

To the Dist. Officer, Mysore
The Comptroller

List of Enclosures

Copied by

Examined by

WD 04162—GPB—60 000—23 10 41

(18

~~Draft~~ Rules for payment of gratuity in respect of sweepers etc who are not entitled to the benefit of pension or Provident fur

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Rules as per remarks of the Comptroller.

1 The Municipal Council may, in deserving cases, meaning thereby ~~employees with~~ goc efficient and faithful service, award gratuity to the sweepers and scavengers To be eligible for such gratuity, service should be continuous

2 Service after the age of 16 years is reckoned as qualifying service, and counts for gratuity

3 Those entitled to the benefits of the - Provident Fund ~~rules~~ shall not be entitle to ~~the~~ gratuity

4 ~~Similarly~~ sweepers and scavengers whose employment is temporary shall not be entitled to gratuity

5 The minimum qualifying service to earn gratuity shall be 15 years ~~with the~~ exception of those who die or retire on account of permanent incapacity or reduction of establishment

6 The maximum amount of gratuity shall be calculated at the rate of half a month's pay for each year of qualifying service, subject to a maximum of 15 months' pay

7 The retiring gratuity being in the nature of a gift shall be exempt from attachment ~~and though~~ departmental and other dues ma be adjusted against the amount of gratuit if they cannot be adjusted against the un disbursed pay and allowances ~~but~~ this exemption may not be extended to the dues o Co-operative Societies

---

"COPY"

PRESIDENT